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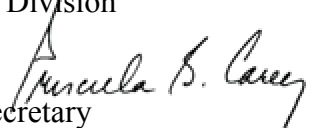
**United States
Department of
Agriculture**

**Office of the
Assistant Secretary
for Administration**

1400 Independence
Avenue SW

Washington, DC
20250-0103

TO: Employees Serviced by Departmental Administration's
Human Resources Services Division

FROM: Priscilla B. Carey 
Acting Deputy Assistant Secretary
for Administration

SUBJECT: Restoration of Forfeited Annual Leave

If you have more than the maximum annual leave carryover balance ("use-or-lose" leave) and meet certain criteria, you may need to take steps to avoid forfeiting the leave.

Currently, the annual leave maximum balance is set at 240 hours for most employees, with the exceptions being 720 hours for Senior Executive Service members and 360 hours for employees stationed overseas. A good way to check your leave balances is through the *Employee Personal Page* at www.nfc.usda.gov.

To have any forfeited use-or-lose leave restored, you must meet one of the following criteria: 1) your work is critical to an exigency of public business; 2) you are sick and cannot use the leave; or 3) an administrative error has occurred.

What is an Exigency of Public Business?

Your Agency Head, or designee, determines an exigency of public business exists when there is an emergency or urgent need that 1) threatens national security, safety, or welfare; 2) lasts more than three calendar years; 3) affects a segment of an agency or occupational class, and 4) precludes subsequent use of both restored and accrued annual leave within the specified time limit.

What if I am sick and cannot use my use-or-lose leave?

Inform your supervisor of the amount of use-or-lose leave to be restored and the date you will return to work, and follow the Employee steps below.

What if my leave is forfeited because of an administrative error?

Inform your supervisor and timekeeper of the amount of leave that should be restored and the date and pay period of the error.

What must I do?

Employees must:

- Before **November 28, 2003**, submit to your supervisor completed Form(s) SF-71, Application for Leave, for **all** use-or-lose leave. Only written requests will be considered for restoration of forfeited leave.
- If possible, by **January 10, 2004** (the end of the current leave year), reschedule any canceled or disapproved use-or-lose leave.
- Schedule and use any previously restored use-or-lose leave within the following two leave years.

Supervisors must:

- First, consider how to avoid employee's forfeiture of leave by balancing work demands and leave requests.
- Obtain the Agency Head's determination of public exigency **prior** to canceling an employee's scheduled use-or-lose leave.
- By **December 1, 2003**, provide written approval or denial of use-or-lose leave requests, with reasons.
- Require the employee to reschedule use of the annual leave by **January 10, 2004**, if possible.
- Forward the following documents to the Human Resources Service Division (HRSD), Personnel Operations Branch, Room 2-W, Jamie L. Whitten Building, by **February 10, 2004**:
 1. A copy of the Agency Head's determination of public exigency.
 2. The originals of Form SF-71, Application for Leave, denoting scheduled and rescheduled Use-or-Lose leave.
 3. A copy of the employee's Time and Attendance (T&A) Report for Pay Period 26.

Agency Heads must:

- Determine in writing that an exigency of public business exists, why, and when it is expected to end.

Personnel Operations Branch must:

- Review requests for restoration of forfeited annual leave for its serviced employees to ensure compliance with the Office of Personnel Management's requirements.
- Complete Form AD-582, Authorization for Restored Annual Leave, for signature of the Director, HRSD.
- No later than **April 2, 2004**, process the Form AD-582 into the National Finance Center System and send copies of the form to the employee and timekeeper.

Timekeepers must:

- Upon receipt of the signed Form AD-582 from HRSD, record restored annual leave on the T&A Report under Transaction Code 63.
- Indicate in the Remarks block of the T&A Report that a signed Form AD-582 is on file for the employee.

Additional information on this subject is available on the Office of Personnel Management's website at www.opm.gov by typing in "restored leave" or "leave restoration" in the search box in the upper right-hand corner. If you need further assistance, please feel free to contact the Personnel Operations Branch, Room 2W, Whitten Building, (202) 720-5781 and ask for Donna Carter or Peggy Pinkney.